

17.01.2022
S.D.
14.

C.R.M. 8395 of 2021

In Re: An Application for bail under Section 439 of the Code of
Criminal Procedure:

And

In Re: **Renupada Mondal**

.....Petitioner.

Mr. Jishan Iqbal Hossain

...for the Petitioner.

Mr. Sanjoy Bardhan

Ms. Baisakhi Chatterjee

....for the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Murshidabad Police Station Case No. 711 of 2020 dated 11.12.2020 under Section 21 (c)/29 of the N.D.P.S. Act arising out of N.D.P.S. Case No. 270 of 2020.

Mr. Hossain, learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated. He is a handicapped person and the allegations levelled against him are absolutely unfounded. Upon completion of investigation, charge sheet has also been submitted and as such further detention of the petitioner, who is in custody since 11.12.2020 is not necessary.

Mr. Banerjee, learned advocate appearing for the State opposes the petitioner's prayer and draws our attention to the seizure list and several other documents in the case diary.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

Prima facie, it appears that contraband substance above commercial quantity was recovered from the petitioner and another co-accused person. In view thereof, the rigours of Section 37 of the N.D.P.S. Act are attracted and as such the petitioner's prayer for bail is refused at this stage.

The application being C.R.M. 8395 of 2021 is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Ajoy Kumar Mukherjee, J.)

(Tapabrata Chakraborty, J.)